United Nations A/50/PV.55

General Assembly
Fifty-first Session

Official Records

55th plenary meeting
Monday, 11 November 1996, 10 a.m.
New York

President: Mr. Razali Ismail ..... (Malaysia)

The meeting was called to order at 10 a.m.

Cyclone in India

The President: The General Assembly would like to extend its deepest sympatht to the Government and the people of India for the tragic loss of life and the extensive material damage which has resulted from the recent cyclone.

Agenda item 17 *(continued)*

Elections to fill vacancies in subsidiary organs

(a) Election of the members of the International Law Commission

Notes by the Secretary-General concerning the candidates (A/51/177 and Add.1-9)

Note by the Secretary-General concerning the consolidated list of candidates (A/51/653)

Notes by the Secretary-General concerning the statements of qualifications of candidates (A/51/178 and Add.1)

The President: In conformity with the provisions of chapter I of the statute of the International Law Commission, the 34 members of the Commission are to be elected for a five-year term of office beginning on 1 January 1997.

The notes by the Secretary-General concerning the candidates are contained in document A/51/177 and Add.1-9.

Members will recall that the Assembly, at its 52nd plenary meeting, on 5 November 1996, decided to request the Secretary-General to issue a consolidated list incorporating new candidates and information received subsequent to the deadline for the submission of nominations.

In this connection, the Assembly has before it the note by the Secretary-General contained in document A/51/653 of 5 November 1996, which consolidates in alphabetical order the candidates nominated by the Governments of States Members of the United Nations for election to the International Law Commission.

The notes by the Secretary-General concerning the statements of qualifications of candidates are contained in document A/51/178 and addendum 1 thereto.

There are now 50 candidates eligible in this election.

I should like to recall that the persons to be elected to the International Law Commission should individually possess the qualifications required — that is to say, they should be persons of recognized competence in international law. The statute also provides that in the Commission as a whole representation of the main forms of civilization and of the principal legal systems of the world should be assured.

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According to the statute, the members of the Commission are eligible for re-election. The present membership of the Commission is set out in the annex to document A/51/177 of 26 June 1996.

In accordance with rule 92 of the rules of procedure of the General Assembly, the election shall be held by secret ballot.

According to paragraph 3 of General Assembly resolution 36/39, the 34 members should be elected as follows:

(a) Eight nationals from African States;

(b) Seven nationals from Asian States;

(c) Four nationals from Eastern European States;

(d) Seven nationals from Latin American and Caribbean States;

(e) Eight nationals from Western European and other States.

The ballot papers reflect this pattern. Representatives are requested to place a cross to the left of the names of the candidates for whom they wish to vote, but for no more than the number of seats allocated to each region. Representatives may vote only for those candidates whose names appear on the ballot papers.

I should like to inform members that the number of candidates not exceeding the number of seats to be filled, receiving the greatest number of votes and not less than the majority of the votes of the Member States present and voting shall be declared elected. In the case of a tie vote for a remaining seat, there will be a restricted ballot limited to those candidates who have obtained an equal number of votes.

May I take it that the General Assembly agrees to that procedure?

It was so decided.

The President: Ballot papers marked A, B, C, D and E will now be distributed. I request the representatives to use only those ballot papers and, as I stated before, to place a cross at the left of the names of the candidates for whom they wish to vote, but for no more than the number of seats allocated to each region. A ballot paper containing more votes than the number of seats allocated to the relevant region will be declared invalid.

Accordingly, please ensure that the ballot papers marked A, for African States, do not contain votes for more than eight candidates; the ballot papers marked B, for Asian States, do not contain votes for more than seven candidates; the ballot papers marked C, for Eastern European States, do not contain votes for more than four candidates; the ballot papers marked D, for Latin American and Caribbean States, do not contain votes for more than seven candidates; and the ballot papers marked E, for Western European and other States, do not contain votes for more than eight candidates.

At the invitation of the President, Mr. Ahsan (Bangladesh), Mr. Serdzukou (Belarus), Ms. Alvarez (Cuba), Ms. Mattila (Finland) and Mr. Mwangi (Kenya) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 10.35 a.m. and resumed at 12.45 p.m.

The President: The result of the voting is as follows:

GROUP A

Number of ballot papers:	181
Number of invalid ballots:	0
Number of valid ballots:	181
Abstentions:	0
Number of members voting:	181
Required majority:	91
Number of votes obtained:	
Mr. Nabil Elaraby (Egypt)	151
Mr. James Lutabanzibwa Kateka (United Republic of Tanzania)	133
Mr. Christopher John Robert Dugard (South Africa)	130
Mr. Doudou Thiam (Senegal)	128
Mr. Mohamed Bennouna (Morocco)	119
Mr. Emmanuel Akwei Addo (Ghana)	105
Mr. Guillaume Pambou-Tchivounda (Gabon)	97
Mr. Peter C. R. Kabatsi (Uganda)	95
Mr. Kamil Idris (Sudan)	93
Mr. Edilbert Razafindralambo (Madagascar)	86
Mr. Sikhe Camara (Guinea)	80
Mr. Maurice Kamto (Cameroon)	70
Mr. Elton Mawina Singini (Malawi)	59
Mr. Salifou Fomba (Mali)	58

GROUP B

Number of ballot papers:	181
Number of invalid ballots:	0
Number of valid ballots:	181
Abstentions:	0
Number of members voting:	181
Required majority:	91
Number of votes obtained:	
Mr. Awn Shawkat Al-Khasawneh (Jordan)	142
Mr. Pemmaraju Sreenivasa Rao (India)	141
Mr. Chusei Yamada (Japan)	141
Mr. He Qizhi (China)	127
Mr. Husain Al-Baharna (Bahrain)	122
Mr. Mochtar Kusuma-Atmadja (Indonesia)	106
Mr. Raul I. Goco (Philippines)	96
Mr. Andreas D. Jacovides (Cyprus)	84
Mr. Djamchid Momtaz (Islamic Republic of Iran)	78
Mr. Najeeb Al-Nauimi (Qatar)	64
Mr. John de Saram (Sri Lanka)	60
Mr. Churamani Raj Singh Malla (Nepal)	51

GROUP C

Number of ballot papers:	181
Number of invalid ballots:	0
Number of valid ballots:	181
Abstentions:	1
Number of members voting:	180
Required majority:	91
Number of votes obtained:	
Mr. Zdzislaw Galicki (Poland)	147
Mr. Teodor Viorel Melescanu (Romania)	139
Mr. Igor Ivanovich Lukashuk (Russian Federation)	138
Mr. Václav Mikulka (Czech Republic)	136
Mr. Volodymyr A. Vassylenko (Ukraine)	131

GROUP D

Number of ballot papers:	181
Number of invalid ballots:	0
Number of valid ballots:	181
Abstentions:	2
Number of members voting:	179
Required majority:	90
Number of votes obtained:	
Mr. João Clemente Baena Soares (Brazil)	156
Mr. Bernardo Sepúlveda (Mexico)	145
Mr. Enrique J. A. Candioti (Argentina)	137
Mr. Didier Opertti Badan (Uruguay)	129
Mr. Jorge E. Illueca (Panama)	127
Mr. Mauricio Herdocia Sacasa (Nicaragua)	126
Mr. Victor Rodríguez-Cedeño (Venezuela)	119
Mr. Luis Solari Tudela (Peru)	113
Mr. Nicholas Joseph Orville Liverpool (Dominica)	91
Mr. Francisco Villagrán Kramer (Guatemala)	38

GROUP E

Number of ballot papers:	181
Number of invalid ballots:	0
Number of valid ballots:	181
Abstentions:	1
Number of members voting:	180
Required majority:	91
Number of votes obtained:	
Mr. Gerhard Hafner (Austria)	167
Mr. Luigi Ferrari Bravo (Italy)	166
Mr. Alain Pellet (France)	161
Mr. Bruno Simma (Germany)	159
Mr. Robert Rosenstock (United States of America)	151
Mr. Ian Brownlie (United Kingdom of Great Britain and Northern Ireland)	150
Mr. James Richard Crawford (Australia)	146
Mr. Constanin P. Economides (Greece)	135
Mr. Brice De Ruyver (Belgium)	132

Having obtained the required majority, Mr. Emmanuel Akwei Addo (Ghana), Mr. Husain Al-Baharna (Bahrain), Mr. Awn Shawkat Al-Khasawneh (Jordan), Mr. João Clemente Baena Soares (Brazil), Mr. Mohamed Bennouna (Morocco), Mr. Ian Brownlie (United Kingdom of Great Britain and Northern Ireland), Mr. Enrique J. A. Candioti (Argentina), Mr. James Richard Crawford (Australia), Mr. Christopher John Robert Dugard (South Africa), Mr. Constanin P. Economides (Greece), Mr. Nabil Elaraby (Egypt), Mr. Luigi Ferrari Bravo (Italy), Mr. Zdzislaw Galicki (Poland), Mr. Raul I. Goco (Philippines), Mr. Gerhard Hafner (Austria), Mr. He Qizhi (China), Mr. Mauricio Herdocia Sacasa (Nicaragua), Mr. Jorge E. Illueca (Panama), Mr. Peter C. R. Kabatsi (Uganda), Mr. James Lutabanzibwa Kateka (United Republic of Tanzania), Mr. Mochtar Kusuma-Atmadja (Indonesia), Mr. Igor Ivanovich Lukashuk (Russian Federation), Mr. Teodor Viorel Melescanu (Romania), Mr. Václav Mikulka (Czech Republic), Mr. Didier Opertti Badan (Uruguay), Mr. Guillaume Pambou-Tchivounda (Gabon), Mr. Alain Pellet (France), Mr. Pemmaraju Sreenivasa Rao (India), Mr. Victor Rodríguez-Cedeño (Venezuela), Mr. Robert

Rosenstock (United States of America), Mr. Bernardo Sepúlveda (Mexico), Mr. Bruno Simma (Germany), Mr. Doudou Thiam (Senegal) and Mr. Chusei Yamada (Japan) were elected members of the International Law Commission for a period of five years beginning 1 January 1997.

The President: I congratulate the persons who have just been elected to the International Law Commission, and I thank the tellers for their assistance in this election.

The Assembly has thus concluded its consideration of sub-item (a) of agenda item 17.

The meeting rose at 1 p.m.